

to the United States. (June 25, 1948, ch. 645, 62 Stat. 747.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., §§ 35, 36 (June 15, 1917, ch. 30, title V, §§ 5, 6, 40 Stat. 222; Mar. 28, 1940, ch. 72, § 5, 54 Stat. 79).

Section consolidates said sections of title 18, U. S. C., 1940 ed.

Mandatory punishment provision was rephrased in the alternative.

The phrase "by the head of the department or agency charged with the administration of laws relating to clearance of vessels," was substituted for "by the Secretary of Commerce" in view of Executive Order No. 9083 (F. R. 1609) transferring functions to the Commissioner of Customs.

The conspiracy provision of said section 36 was omitted as covered by section 371 of this title. See reviser's note under that section.

Minor changes of phraseology were made.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Jurisdiction of offenses, see section 3241 of this title.

§ 967. Departure of vessel forbidden in aid of neutrality.

(a) During a war in which the United States is a neutral nation, the President, or any person authorized by him, may withhold clearance from or to any vessel, domestic or foreign, or, by service of formal notice upon the owner, master, or person in command or in charge of any domestic vessel not required to secure clearances, may forbid its departure from port or from the United States, whenever there is reasonable cause to believe that such vessel is about to carry fuel, arms, ammunition, men, supplies, dispatches, or information to any warship, tender, or supply ship of a foreign belligerent nation in violation of the laws, treaties, or obligations of the United States under the law of nations. It shall thereupon be unlawful for such vessel to depart.

(b) Whoever, in violation of this section, takes or attempts to take, or authorizes the taking of any such vessel, out of port or from the United States, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. In addition, such vessel, her tackle, apparel, furniture, equipment, and her cargo shall be forfeited to the United States. (June 25, 1948, ch. 645, 62 Stat. 748.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., §§ 31, 36 (June 15, 1917, ch. 30, title V, §§ 1, 6, 40 Stat. 221, 222; Mar. 28, 1940, ch. 72, § 5, 54 Stat. 79).

Section consolidates said sections of title 18, U. S. C., 1940 ed., with minor changes in translations and phraseology.

Mandatory punishment provision was rephrased in the alternative.

The conspiracy provision of said section 36 was omitted as covered by section 371 of this title. See reviser's note under that section.

Changes in phraseology were also made.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

DELEGATION OF FUNCTIONS

For delegation to the Secretary of the Treasury of authority vested in the President by this section, see section 1 (1) of Ex. Ord. No. 10637, Sept. 16, 1955, 20 F. R. 7025, set out as a note under section 301 of Title 3, The President.

CROSS REFERENCES

Jurisdiction of offenses, see section 3241 of this title. Restrictions on use of American ports where evidence insufficient under this section, see section 450 of Title 22, Foreign Relations and Intercourse.

§ 968. Repealed. Aug. 26, 1954, ch. 937, title V, § 542 (a) (14), 68 Stat. 861.

Section, act June 25, 1948, ch. 645, § 1, 62 Stat. 748, related to exportation of war materials to certain countries and is now covered by section 1934 of Title 22, Foreign Relations and Intercourse.

§ 969. Exportation of arms, liquors and narcotics to Pacific Islands.

(a) Whoever, being subject to the authority of the United States, gives, sells, or otherwise supplies any arms, ammunition, explosive substance, intoxicating liquor, or opium to any aboriginal native of any of the Pacific Islands lying within the twentieth parallel of north latitude and the fortieth parallel of south latitude, and the one hundred and twentieth meridian of longitude west and one hundred and twentieth meridian of longitude east of Greenwich, not being in the possession or under the protection of any civilized power, shall be fined not more than \$50 or imprisoned not more than three months or both.

In addition to such punishment, all articles of a similar nature to those in respect to which an offense has been committed, found in the possession of the offender, may be declared forfeited.

If it appears to the court that such opium, wine, or spirits have been given bona fide for medical purposes, it shall be lawful for the court to dismiss the charge.

(b) All offenses against this section, committed on any of said islands or on the waters, rocks, or keys adjacent thereto, shall be deemed committed on the high seas on board a merchant ship or vessel belonging to the United States. (June 25, 1948, ch. 645, 62 Stat. 748.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., §§ 499, 500 (Mar. 4, 1909, ch. 321, §§ 308, 309, 35 Stat. 1148).

Section consolidates said sections of title 18, U. S. C., 1940 ed., with such changes of phraseology as were necessary to effect consolidation.

Words "and the courts of the United States shall have jurisdiction accordingly," were omitted from subsection (b) as unnecessary in view of sections 3231 and 3238 of this title.

CROSS REFERENCES

Indians, intoxicants dispensed in Indian country, see section 1154 of this title.

Special maritime and territorial jurisdiction of United States, definition of, see section 7 of this title.

Chapter 47.—FRAUD AND FALSE STATEMENTS

Sec.

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Sec.

- 1013. Farm loan bonds and credit bank debentures.
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- 1027. False statements and concealment of facts in relation to documents required by the Welfare and Pension Plans Disclosure Act.

AMENDMENTS

- 1962—Pub. L. 87-420, § 17(d), Mar. 20, 1962, 76 Stat. 42, added item 1027.
- 1951—Act Oct. 31, 1951, ch. 655, § 25, 65 Stat. 720, substituted, in item 1012, "Public Housing Administration" for "United States Housing Authority".
- 1949—Act May 24, 1949, ch. 189, §§ 18, 19, 63 Stat. 92, corrected spelling of "1016. Acknowledgement etc.", and substituted "officers" for "offices" in "1019. Certificates by consular officers."

CROSS REFERENCES

Allen registration, fraud and false statements, see section 1306 of Title 8, Aliens and Nationality.
 Carriers' reports to Interstate Commerce Commission, false entries, see section 20 (7) of Title 49, Transportation.
 China Trade, false or fraudulent statements prohibited, see section 156 of Title 15, Commerce and Trade.

§ 1001. Statements or entries generally.

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 749.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 80 (Mar. 4, 1909, ch. 321, § 35, 35 Stat. 1095; Oct. 23, 1918, ch. 194, 40 Stat. 1015; June 18, 1934, ch. 587, 48 Stat. 996; Apr. 4, 1938, ch. 69, 52 Stat. 197).

Section 80 of title 18, U. S. C., 1940 ed., was divided into two parts.

The provision relating to false claims was incorporated in section 287 of this title.

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Words "or any corporation in which the United States of America is a stockholder" in said section 80 were omitted as unnecessary in view of definition of "agency" in section 6 of this title.

In addition to minor changes of phraseology, the maximum term of imprisonment was changed from 10 to 5 years to be consistent with comparable sections. (See reviser's note under section 287 of this title.)

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Conspiracy to defraud Government in regard to false claims, see section 286 of this title.

Conspiracy to defraud United States, see section 371 of this title.

Education, section as applicable to National Defense Education Program, see section 581 of Title 20, Education.

False claims for pensions, see section 289 of this title.

False claims for postal losses, see section 288 of this title.

False entry or certificate by revenue officer or agent, see section 7214 (a) of Title 26, Internal Revenue Code of 1954.

Falsification of postal returns to increase compensation, see section 1712 of this title.

Fraudulent claims, generally, see section 287 of this title.

National Science Foundation scholarships or fellowships, applicability of section to loyalty affidavits, see section 1874(d) of Title 42, The Public Health and Welfare.

Passports, false statements in application, see section 1542 of this title.

Patents, declarations in lieu of oath, false statements punishable under this section, see section 25 of Title 35, Patents.

Public buildings, section as applicable to statements by contractors, see section 276c of Title 40, Public Buildings, Property and Works.

§ 1002. Possession of false papers to defraud United States.

Whoever, knowingly and with intent to defraud the United States, or any agency thereof, possesses any false, altered, forged, or counterfeited writing or document for the purpose of enabling another to obtain from the United States, or from any agency, officer or agent thereof, any sum of money, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 749.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 74 (Mar. 4, 1909, ch. 321, § 30, 35 Stat. 1094).

Words "or any agency thereof" after "United States" and word "agency" after "any" and before "officer," were inserted to eliminate any possible ambiguity as to scope of section. (See definition of "agency" in section 6 of this title.)

The maximum fine of "\$10,000" was substituted for "\$500" in order to conform punishment provisions to those of comparable sections. (See section 1001 of this title.)

Minor verbal change was made.

CROSS REFERENCES

Contracts, deeds, and powers of attorney, see section 495 of this title.

§ 1003. Demands against the United States.

Whoever knowingly and fraudulently demands or endeavors to obtain any share or sum in the public stocks of the United States, or to have any part thereof transferred, assigned, sold, or conveyed, or to have any annuity, dividend, pension, wages, gratuity, or other debt due from the United States, or any part thereof, received, or paid by virtue of any false, forged, or counterfeited power of attorney, authority, or instrument, shall be fined not more than \$10,000 or imprisoned not more than five years, or both; but if the sum or value so obtained or attempted to be obtained does not exceed \$100, he shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, 62 Stat. 749.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 79 (Mar. 4, 1909, ch. 321, § 34, 35 Stat. 1095).

Words "prize money" were deleted on the ground that they are an anachronism and were so before 1909. (See reviser's note under section 915 of this title.)

Mandatory punishment provision was rephrased in the alternative.

The smaller punishment for an offense involving \$100 or less was added. (See reviser's note to sections 641 and 645 of this title.)

The maximum term of "five years" was substituted for "ten years" and "\$10,000" was substituted for "\$5,000" as being more in harmony with punishment provision of similar sections. (See reviser's note under section 1001 of this title.)

Minor changes in phraseology were made.

§ 1004. Certification of checks.

Whoever, being an officer, director, agent, or employee of any Federal Reserve bank or member bank of the Federal Reserve System, certifies a check before the amount thereof has been regularly deposited in the bank by the drawer thereof, or resorts to any device, or receives any fictitious obligation, directly or collaterally, in order to evade any of the provisions of law relating to certification of checks, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 749.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 591 of title 12, U. S. C., 1940 ed., Banks and Banking (R. S. § 5208; July 12, 1882, ch. 290, § 13, 22 Stat. 166; Sept. 26, 1918, ch. 177, § 7, 40 Stat. 972; Feb. 25, 1927, ch. 191, § 12, 44 Stat. 1231).

Words "be deemed guilty of a misdemeanor and shall" were omitted as unnecessary in view of definition of misdemeanor in section 1 of this title.

Words "on conviction thereof" were omitted as surplusage, because punishment cannot be imposed until after conviction.

Words "in any district court of the United States" were omitted as unnecessary, because section 3231 of this title confers jurisdiction on Federal district courts of all crimes and offenses defined in this title.

Changes were made in phraseology.

CROSS REFERENCES

Liability of Federal Reserve or member bank for certifying check when amount of deposit was inadequate, see section 501 of Title 12, Banks and Banking.

§ 1005. Bank entries, reports and transactions.

Whoever, being an officer, director, agent or employee of any Federal Reserve bank, member bank, national bank or insured bank, without authority from the directors of such bank, issues or puts in circulation any notes of such bank; or

Whoever, without such authority, makes, draws, issues, puts forth, or assigns any certificate of deposit, draft, order, bill of exchange, acceptance, note, debenture, bond, or other obligation, or mortgage, judgment or decree; or

Whoever makes any false entry in any book, report, or statement of such bank with intent to injure or defraud such bank, or any other company, body politic or corporate, or any individual person, or to deceive any officer of such bank, or the Comptroller of the Currency, or the Federal Deposit Insurance Corporation, or any agent or examiner appointed to examine the affairs of such bank, or the Board of Governors of the Federal Reserve System—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

As used in this section, the term "national bank" is synonymous with "national banking association"; "member bank" means and includes any national bank, state bank, or bank or trust company, which has become a member of one of the Federal Reserve banks; and "insured bank" includes any state bank, banking association, trust company, savings bank, or other banking institution, the deposits of which are insured by the Federal Deposit Insurance Corporation. (June 25, 1948, ch. 645, 62 Stat. 750.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on sections 592, 597 of title 12, U. S. C., 1940 ed., Banks and Banking (R. S. § 5209; Dec. 23, 1913, ch. 6, § 22 (1) as added June 19, 1934, ch. 653, § 3, 48 Stat. 1107; Sept. 26, 1918, ch. 177, § 7, 40 Stat. 972; Aug. 23, 1935, ch. 614, § 316, 49 Stat. 712).

(See reviser's note under section 656 of this title for comprehensive statement of reasons for separating section 592 of title 12, U. S. C., 1940 ed., Banks and Banking, into three revised sections, and section 597 thereof into two revised sections, with the consequent extensive changes in phraseology, style, and arrangement.)

In this section, national bank receivers and Federal reserve agents were not included in the initial enumeration of persons at whom the act is directed, since the provisions of this section, unlike section 656 of this title, are not directed at such receivers and agents.

No changes of meaning or substance were made, except that, like said section 656 of this title, the different punishment provisions were reconciled, and one uniform punishment provision was adopted.

The words "shall be deemed guilty of a misdemeanor" were omitted as unnecessary in view of the definition of a misdemeanor in section 1 of this title.

The words "and upon conviction thereof" were omitted as unnecessary, since punishment cannot be imposed until a conviction is secured.

Since section 3231 of this title gives the district court jurisdiction of criminal prosecutions, the words "in any district court of the United States" were omitted as unnecessary.

EXCEPTION AS TO TRANSFER OF FUNCTIONS

Functions vested by any provision of law in the Comptroller of the Currency, referred to in this section, were not included in the transfer of functions of officers, agencies and employees of the Department of the Treasury to the Secretary of the Treasury, made by 1950 Reorg. Plan No. 26, § 1, eff. July 31, 1950, 15 F. R. 4935, 64 Stat. 1280, set out in note under section 241 of Title 5, Executive Departments and Government Officers and Employees.

CROSS REFERENCES

Bank examinations, see section 481 et seq. of Title 12, Banks and Banking.

Federal Reserve System, laws applicable on becoming member bank, see section 324 of Title 12, Banks and Banking.

Holding company affiliates, penalties for false entries, see section 61 (d) of Title 12, Banks and Banking.

Liability of directors and officers of member banks, see section 503 of Title 12, Banks and Banking.

Officers and employees of government, false entries and reports of moneys or securities, see section 2073 of this title.

Reports to Comptroller of the Currency, see section 161 of Title 12, Banks and Banking.

§ 1006. Federal credit institution entries, reports and transactions.

Whoever, being an officer, agent or employee of or connected in any capacity with the Reconstruction Finance Corporation, Federal Deposit Insurance Corporation, Home Owners' Loan Corporation, Farm Credit Administration, Federal Housing Administration, Federal Crop Insurance Corporation, Farmers' Home Corporation, the Secretary of Agriculture acting through the Farmers' Home Administration, or

any land bank, intermediate credit bank, bank for cooperatives or any lending, mortgage, insurance, credit or savings and loan corporation or association authorized or acting under the laws of the United States or any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, or any small business investment company, with intent to defraud any such institution or any other company, body politic or corporate, or any individual, or to deceive any officer, auditor, examiner or agent of any such institution or of department or agency of the United States, makes any false entry in any book, report or statement of or to any such institution, or without being duly authorized, draws any order or bill of exchange, makes any acceptance, or issues, puts forth or assigns any note, debenture, bond or other obligation, or draft, bill of exchange, mortgage, judgment, of decree, or, with intent to defraud the United States or any agency thereof, or any corporation, institution, or association referred to in this section, participates or shares in or receives directly or indirectly any money, profit, property, or benefits through any transaction, loan, commission, contract, or any other act of any such corporation, institution, or association, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 750; May 24, 1949, ch. 139, § 20, 63 Stat. 92; July 28, 1956, ch. 773, § 2, 70 Stat. 714; Aug. 21, 1958, Pub. L. 85-699, title VII, § 704, 72 Stat. 698; Oct. 4, 1961, Pub. L. 87-353, § 3(s), 75 Stat. 774.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on sections 1026 (b) and 1514 (c) of title 7, U. S. C., 1940 ed., Agriculture, sections 264 (u), 984, 1121, 1138d (c), 1311, 1441 (c), 1467 (c) and 1731 (c) of title 12, U. S. C., 1940 ed., Banks and Banking, and section 616 (c) of title 15, U. S. C., 1940 ed., Commerce and Trade (Dec. 23, 1913, ch. 6, § 12B (u), as added June 16, 1933, ch. 89, § 8, 48 Stat. 178; July 17, 1918, ch. 245, § 31, fourth par., 39 Stat. 383; July 17, 1918, ch. 245, § 211 (a), as added Mar. 4, 1923, ch. 252, § 2, 42 Stat. 1459; Mar. 4, 1923, ch. 252, title II, § 216 (a), 42 Stat. 1471; Jan. 22, 1932, ch. 8, § 16 (c), 47 Stat. 11; July 22, 1932, ch. 522, § 21 (c), 47 Stat. 738; Ex. Ord. No. 6084, Mar. 27, 1933; June 13, 1933, ch. 64, § 8 (c), 48 Stat. 135; June 16, 1933, ch. 98, § 64 (c), 48 Stat. 268; Jan. 31, 1934, ch. 7, § 13, 48 Stat. 347; June 27, 1934, ch. 847, § 512 (c), 48 Stat. 1265; Aug. 23, 1935, ch. 614, § 101, 49 Stat. 701; July 22, 1937, ch. 517, title IV, § 52 (b), 50 Stat. 532; Feb. 16, 1938, ch. 30, title V, § 514 (c), 52 Stat. 76; Aug. 14, 1946, ch. 964, § 3, 60 Stat. 1064).

Each of the eleven sections from which this section was derived contained similar provisions relating to embezzlement, false entries, and fraudulent issuance or assignment of obligations with respect to one or more named agencies or corporations.

These were divided and the false entry and fraudulent issuance or assignment of obligation provisions of all, form the basis of this section. The remaining provisions of each section, relating to embezzlement and misapplication, form the basis for section 657 of this title. That portion of said section 616 (c) of title 15, relating to disclosure of information, forms the basis for section 1904 of this title.

Each revised section condenses and simplifies the constituent provisions without change of substance except as herein indicated.

The punishment provisions in each section were the same except that in section 1026 (b) of title 7, U. S. C., 1940 ed., and sections 984, 1121, and 1311 of title 12, U. S. C., 1940 ed., the maximum fine was \$5,000. This consolidated section adopts the \$10,000 maximum fine provided by the seven other sections.

References to persons aiding or abetting contained in sections 984, 1121, and 1311 of title 12, U. S. C., 1940 ed.,

were omitted as unnecessary, as such persons are made principals by section 2 of this title.

The term "receiver," used in sections 1121 and 1311 of title 12, U. S. C., 1940 ed., with reference to Federal intermediate credit banks and agricultural credit corporations, was omitted as this term is undoubtedly embraced in the phrase "or connected in any capacity with."

The term "or of any department or agency of the United States" was inserted in order to clarify the sweeping provisions against fraudulent acts and to eliminate any possible ambiguity as to scope of section. (See definitions of "department" and "agency" in section 6 of this title.)

Words "shall be deemed guilty of a misdemeanor", contained in section 1311 of title 12, U. S. C., 1940 ed., were omitted as unnecessary, in view of definition of misdemeanor in section 1 of this title.

Words "and upon conviction", contained in section 1311 of title 12, U. S. C., 1940 ed., were omitted as surplusage, because punishment cannot be imposed until after conviction.

Words "in any district court of the United States", contained in section 1311 of title 12, U. S. C., 1940 ed., were omitted as unnecessary, because section 3231 of this title confers jurisdiction on the Federal district courts of all crimes and offenses defined in this title.

The conspiracy provisions of section 1138d (f) of title 12, U. S. C., 1940 ed., Banks and Banking, were not added to this consolidated section for reasons stated in reviser's note under section 493 of this title. (See also reviser's note under section 371 of this title.)

AMENDMENTS

1961—Pub. L. 87-353 struck out "Federal Farm Mortgage Corporation," following "Federal Housing Administration."

1958—Pub. L. 85-699 included officers, agents or employees of or connected in any capacity with small business investment companies.

1956—Act July 28, 1956, included officers, agents or employees of or connected in any capacity with any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation.

1949—Act May 24, 1949, inserted "the Secretary of Agriculture acting through the Farmers' Home Administration."

EXCEPTIONS FROM TRANSFER OF FUNCTIONS

Functions of the Corporations of the Department of Agriculture, the boards of directors and officers of such corporations; the Advisory Board of the Commodity Credit Corporation; and the Farm Credit Administration or any agency, officer or entity of, under, or subject to the supervision of the said Administration were excepted from the functions of officers, agencies and employees transferred to the Secretary of Agriculture by 1953 Reorg. Plan No. 2, § 1, eff. June 4, 1953, 18 F. R. 3219, 67 Stat. 633, set out as a note under section 511 of Title 5, Executive Departments and Government Officers and Employees.

ABOLITION OF HOME OWNERS' LOAN CORPORATION

For dissolution and abolishment of Home Owners' Loan Corporation, referred to this section, by act June 30, 1953, ch. 170, § 21, 67 Stat. 126, see note under section 1463 of Title 12, Banks and Banking.

FARM CREDIT ADMINISTRATION

Establishment of Farm Credit Administration as independent agency, and other changes in status, functions, etc., see section 636a et seq., of Title 12, Banks and Banking.

ABOLITION OF RECONSTRUCTION FINANCE CORPORATION

Section 6 (a) of 1957 Reorg. Plan No. 1, eff. June 30, 1957, 22 F. R. 4633, 71 Stat. 647, set out as a note under section 601 of Title 15, Commerce and Trade, abolished the Reconstruction Finance Corporation.

CROSS REFERENCES

Financial control of government corporations, see Chapter 14 of Title 31, Money and Finance.

Secret Service, detection, arrest and delivery into custody of any person violating this section in so far as the Federal Deposit Insurance Corporation, Federal land banks, joint-stock land banks and national farm loan associations are concerned, see section 3056 of this title.

§ 1007. Federal Deposit Insurance Corporation transactions.

Whoever, for the purpose of obtaining any loan from the Federal Deposit Insurance Corporation, or any extension or renewals thereof, or the acceptance, release, or substitution of security therefor, or for the purpose of inducing the Federal Deposit Insurance Corporation to purchase any assets, or for the purpose of obtaining the payment of any insured deposit or transferred deposit or the allowance, approval, or payment of any claim, or for the purpose of influencing in any way the action of the Federal Deposit Insurance Corporation, makes any statement, knowing it to be false, or willfully overvalues any security, shall be fined not more than \$5,000 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, 62 Stat. 750.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 264 (s) of title 12, U. S. C., 1940 ed., Banks and Banking (Dec. 23, 1913, ch. 6, § 12B (s), as added June 16, 1933, ch. 89, § 8, 48 Stat. 177; Aug. 23, 1935, ch. 614, § 101, 49 Stat. 700).

Words "Federal Deposit Insurance" were inserted before "Corporation" in three places, so as to identify said Corporation, and phrase "under this section" was omitted as no longer applicable, considering transfer of this section to this title.

Minor changes were made in phraseology.

CROSS REFERENCES

Secret Service, detection, arrest and delivery into custody of any person violating this section, see section 3056 of this title.

§ 1008. Federal Savings and Loan Insurance Corporation transactions.

Whoever, for the purpose of inducing the insurance of the accounts of any institution by the Federal Savings and Loan Insurance Corporation or for the purpose of obtaining any extension or renewal of such insurance by such Corporation or for the purpose of influencing in any way the action of such Corporation, makes, passes, utters, or publishes any statement, knowing the same to be false; or

Whoever, for the purpose of influencing in any way the action of such Corporation, utters, forges, or counterfeits any instrument, paper, or document, or utters, publishes, or passes as true any instrument, paper, or document, knowing it to have been uttered, forged, or counterfeited, or willfully overvalues any security, asset, or income, of any institution insured or applying for insurance by said Corporation—

Shall be fined not more than \$5,000 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, 62 Stat. 751.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 1731 (e) of title 12, U. S. C., 1940 ed., Banks and Banking (June 27, 1934, ch. 847, § 512 (e), as added Feb. 3, 1938, ch. 13, § 10, 52 Stat. 25).

References to persons causing or procuring were omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Minor changes in phraseology were made.

§ 1009. Rumors regarding Federal Savings and Loan Insurance Corporation.

Whoever willfully and knowingly makes, circulates, or transmits to another or others any statement or rumor, written, printed or by word of mouth,

which is untrue in fact and is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of the Federal Savings and Loan Insurance Corporation, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, 62 Stat. 751.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 1731 (e) of title 12, U. S. C., 1940 ed., Banks and Banking (June 27, 1934, ch. 847, § 512 (f), as added Feb. 3, 1938, ch. 13, § 10, 52 Stat. 25).

Words "or who knowingly counsels, aids, procures, or induces another to start, transmit, or circulate any such statement or rumor" were omitted as unnecessary because such persons are principals under section 2 of this title.

Words "is guilty of a misdemeanor" were omitted as unnecessary in view of definition of misdemeanor in section 1 of this title.

Changes were made in phraseology.

§ 1010. Federal Housing Administration transactions.

Whoever, for the purpose of obtaining any loan or advance of credit from any person, partnership, association, or corporation with the intent that such loan or advance of credit shall be offered to or accepted by the Federal Housing Administration for insurance, or for the purpose of obtaining any extension or renewal of any loan, advance of credit, or mortgage insured by such Administration, or the acceptance, release, or substitution of any security on such a loan, advance of credit, or for the purpose of influencing in any way the action of such Administration, makes, passes, utters, or publishes any statement, knowing the same to be false, or alters, forges, or counterfeits any instrument, paper, or document, or utters, publishes, or passes as true any instrument, paper, or document, knowing it to have been altered, forged, or counterfeited, or willfully overvalues any security, asset, or income, shall be fined not more than \$5,000 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, 62 Stat. 751.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 1731 (a) of title 12, U. S. C., 1940 ed., Banks and Banking (June 27, 1934, ch. 847, § 512 (a), 48 Stat. 1265; Feb. 3, 1938, ch. 13, § 9, 52 Stat. 24).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

"\$5,000" was substituted for "\$3,000" to make this section more consistent in its punishment provisions with comparable sections. (See section 1008 of this title.)

Minor changes in phraseology were made.

§ 1011. Federal land bank mortgage transactions.

Whoever, being a mortgagee, knowingly makes any false statement in any paper, proposal, or letter, relating to the sale of any mortgage, to any Federal land bank; or

Whoever, being an appraiser, willfully overvalues any land securing such mortgage—

Shall be fined not more than \$5,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, 62 Stat. 751.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 987 of title 12, U. S. C., 1940 ed., Banks and Banking (July 17, 1916, ch. 245, § 31,

seventh paragraph, as added June 16, 1933, ch. 98, § 78, 48 Stat. 272).

Minor changes were made in phraseology.

CROSS REFERENCES

Secret Service, detection, arrest and delivery into custody of any person violating this section, see section 3056 of this title.

§ 1012. Public Housing Administration transactions.

Whoever, with intent to defraud, makes any false entry in any book of the Public Housing Administration or makes any false report or statement to or for such Administration; or

Whoever receives any compensation, rebate, or reward, with intent to defraud such Administration or with intent unlawfully to defeat its purposes; or

Whoever induces or influences such Administration to purchase or acquire any property or to enter into any contract and willfully fails to disclose any interest which he has in such property or in the property to which such contract relates, or any special benefit which he expects to receive as a result of such contract—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, § 1, 62 Stat. 752; Oct. 31, 1951, ch. 655, § 26, 65 Stat. 720.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on sections 1423—1425 of title 42, U. S. C., 1940 ed., The Public Health and Welfare (Sept. 1, 1937, ch. 896, §§ 23—25, 50 Stat. 899).

Three sections were consolidated with changes of phraseology and arrangement necessary to effect consolidation.

Words "upon conviction thereof", in each section were omitted as surplusage since punishment cannot be imposed until after conviction.

The provisions of section 1424 of title 42, U. S. C., 1940 ed., The Public Health and Welfare, relating to conspiracy were omitted as inconsistent with the general conspiracy statute, section 371 of this title, both as to punishment and allegation and proof of an overt act. (See reviser's note under section 493 of this title.)

AMENDMENTS

1951—Act Oct. 31, 1951, substituted "Public Housing Administration" for "United States Housing Authority" in section and in catchline, and "Administration" for "Authority", wherever appearing.

CROSS REFERENCES

Low-rent housing, see section 1401 et seq. of Title 42, The Public Health and Welfare.

§ 1013. Farm loan bonds and credit bank debentures.

Whoever deceives, defrauds, or imposes upon, or attempts to deceive, defraud, or impose upon any person, partnership, corporation, or association by making any false pretense or representation concerning the character, issue, security, contents, conditions, or terms of any farm loan bond, or coupon, issued by any Federal land bank or banks, or by any joint-stock land bank or banks; or of any debenture, coupon, or other obligation, issued by any Federal intermediate credit bank or banks, or by any National Agricultural Credit Corporation; or by falsely pretending or representing that any farm loan bond, or coupon, is anything other than, or different from, what it purports to be on the face of said bond or coupon, shall be fined not more than \$500 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, 62 Stat. 752.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on sections 985, 1127, and 1317 of title 12, U. S. C., 1940 ed., Banks and Banking (July 17, 1916, ch. 245, § 31, fifth paragraph, 39 Stat. 384; July 17, 1916, ch. 245, § 211 (g), as added Mar. 4, 1923, ch. 252, § 2, 42 Stat. 1461; Mar. 4, 1923, ch. 252, title II, § 216 (g), 42 Stat. 1473).

This section condenses and simplifies sections 985, 1127, and 1317 of title 12, U. S. C., 1940 ed., Banks and Banking, each of which contained similar provisions and similar language. The punishment provisions of all three sections were the same.

References to "chapter" and "subchapter" were omitted and words describing the various types of banks or organizations to which said sections 985, 1127, and 1317 of title 12, U. S. C., 1940 ed., Banks and Banking, related, were inserted in lieu. This necessitated some rephrasing and transposition of phrases, but without change of meaning or substance.

Words "upon conviction" which were contained in sections 1127 and 1317 of title 12, U. S. C., 1940 ed., Banks and Banking, were omitted as surplusage, because punishment cannot be imposed until after conviction.

Changes were made in phraseology.

CROSS REFERENCES

Compromise, adjustment or cancellation of farm indebtedness, false statements, see section 1026 of this title.

Secret Service, arrest, detection and delivery into custody of any person violating this section in so far as Federal land banks and joint-stock land banks are concerned, see section 3056 of this title.

Spurious advertising or representations as to Federal farm loans and bonds, see section 709 of this title.

§ 1014. Loan and credit applications generally; renewals and discounts; crop insurance.

Whoever knowingly makes any false statement or report, or willfully overvalues any land, property or security, for the purpose of influencing in any way the action of the Reconstruction Finance Corporation, Farm Credit Administration, Federal Crop Insurance Corporation, Farmers' Home Corporation, the Secretary of Agriculture acting through the Farmers' Home Administration, any Federal intermediate credit bank, or any division, officer, or employee thereof, or of any corporation organized under sections 1131—1134m of Title 12, or of any regional agricultural credit corporation established pursuant to law, or of the National Agricultural Credit Corporation, a Federal Home Loan Bank, the Federal Home Loan Bank Board, the Home Owners' Loan Corporation, a Federal Savings and Loan Association, a Federal land bank, a joint-stock land bank, a Federal land bank association, a Federal Reserve bank, a small business investment company or a Federal credit union, upon any application, advance, discount, purchase, purchase agreement, repurchase agreement, commitment, or loan, or any change or extension of any of the same, by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, shall be fined not more than \$5,000 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, 62 Stat. 752; May 24, 1949, ch. 139, § 21, 63 Stat. 92; July 26, 1956, ch. 741, title I, § 109, 70 Stat. 667; Aug. 21, 1958, Pub. L. 85-699, title VII, § 705, 72 Stat. 699; Aug. 18, 1959, Pub. L. 86-168, title I, § 104(h), 73 Stat. 387; Oct. 4, 1961, Pub. L. 87-353, § 3(t), 75 Stat. 774; July 2, 1964, Pub. L. 88-353, § 5, 78 Stat. 269.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on sections 1026 (a) and 1514 (a) of title 7, U. S. C., 1940 ed., Agriculture, sections 596, 981, 1122, 1123, 1138d (a), 1248, 1312, 1313, 1441 (a), and 1467

(a), of title 12, U. S. C., 1940 ed., Banks and Banking, and section 616 (a) of title 15, U. S. C., 1940 ed., Commerce and Trade (Dec. 23, 1913, ch. 8, § 22 (h), as added June 19, 1934, ch. 653, § 3, 48 Stat. 1107; July 17, 1916, ch. 245, § 31, first paragraph, 39 Stat. 382; July 17, 1916, ch. 245, § 211 (b) (c), as added Mar. 4, 1923, ch. 252, § 2, 42 Stat. 1460; Mar. 4, 1923, ch. 252, title II, §§ 209 (h), 216 (b) (c), 42 Stat. 1468, 1472; Jan. 22, 1932, ch. 8, § 16 (a), 47 Stat. 11; July 22, 1932, ch. 522, § 21 (a), 47 Stat. 738; June 13, 1933, ch. 64, § 8 (a), 48 Stat. 134; June 16, 1933, ch. 98, § 64 (a), 48 Stat. 267; Jan. 31, 1934, ch. 7, § 13, 48 Stat. 347; June 3, 1935, ch. 164, § 21, 49 Stat. 319; July 22, 1937, ch. 517, title IV, § 52 (a); 50 Stat. 531; Feb. 16, 1938, ch. 30, title V, § 614 (a), 52 Stat. 76; Aug. 14, 1946, ch. 964, § 3, 60 Stat. 1064).

Each of the 13 sections from which this section was derived contained similar provisions either relating to false representations and statements, or overvaluation of security, with respect to one or more of the named banks, agencies, or corporations.

These were consolidated and the false statement and security overvaluation provisions of all, form the basis of this section. The provisions of section 981 of title 12, U. S. C., 1940 ed., Banks and Banking, relating to acceptance of loans or gratuities by examiners, were consolidated with similar provisions from other sections to form section 218 of this title. The provisions of said section 981 of title 12, U. S. C., 1940 ed., Banks and Banking, prohibiting land bank and national farm loan association examiners from performing "any other service for compensation for any bank or banking or loan association, or for any person connected therewith in any capacity" were consolidated with similar provisions from other sections to form section 1909 of this title.

Eight of the consolidated sections contained identical punishment, each providing for a maximum fine of \$5,000 and maximum imprisonment of 2 years. Two sections provided for a maximum fine of \$10,000 and maximum imprisonment of 5 years. One section provided for maximum fine of \$5,000 and maximum imprisonment of 5 years, one section provided for maximum fine of \$2,000 and maximum imprisonment of 2 years, and one section provided for maximum fine of \$5,000 and maximum imprisonment of 1 year.

The punishment by maximum fine of \$5,000 or maximum imprisonment of 2 years, or both, provided in this consolidated section was adopted as most consistent with the greater number of comparable sections. (See sections 1008 and 1010 of this title.) This is a reasonable reconciliation of the conflicting punishment provisions and adequate for the offenses described.

The enumeration of "application, advance, discount, purchase, purchase agreement, repurchase agreement, commitment, or loan" and the wording "or any change or extension of any of the same, by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor" does not occur in any one of the original sections, but such enumeration and such wording are adequate, and they represent a composite of terms and transactions mentioned in each.

In addition, changes were made in phraseology to secure uniformity of style, and some rephrasing was necessary, but the consolidation was without change of substance except as above indicated.

Section 1138d (f) of title 12, U. S. C., 1940 ed., Banks and Banking, relating to conspiracy, was not added to this consolidated section for reasons given in reviser's note under section 493 of this title.

REFERENCES IN TEXT

Sections 1131b and 1131g-1 of Title 12, included within the reference to sections 1131-1134m of Title 12, were repealed by act July 26, 1956, ch. 741, title 1, § 105 (c), (q), 70 Stat. 665, 666.

Sections 1131, 1131a and 1131j of Title 12, included within the reference in text to sections 1131-1134m of Title 12 are omitted from the Code and are now covered, respectively, by sections 1134, 1134a and 1131g-2 of Title 12, Banks and Banking.

AMENDMENTS

1964—Pub. L. 88-353 included Federal credit unions.
1961—Pub. L. 87-353 struck out "or the Federal Farm

Mortgage Corporation," following "any Federal intermediate credit bank."

1959—Pub. L. 86-168 substituted "Federal land bank association" for "National farm loan association".

1958—Pub. L. 85-699 included small business investment companies.

1958—Act July 26, 1956, eliminated corporations in which a Production Credit Corporation holds stock.

1949—Act May 24, 1949, inserted "the Secretary of Agriculture acting through the Farmers' Home Administration".

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment of section by Pub. L. 86-168 effective Dec. 31, 1959, see section 104(k) of Pub. L. 86-168, set out as a note under section 751 of Title 12, Banks and Banking.

EFFECTIVE DATE OF 1956 AMENDMENT

Amendment of this section by act July 26, 1956, effective Jan. 1, 1957, see section 202 (a) of act July 26, 1956, set out as a note under section 1027 of Title 12, Banks and Banking.

ABOLITION OF HOME OWNERS' LOAN CORPORATION

For dissolution and abolishment of Home Owners' Loan Corporation, referred to this section, by act June 30, 1953, ch. 170, § 21, 67 Stat. 126, see note under section 1463 of Title 12, Banks and Banking.

FARM CREDIT ADMINISTRATION

Establishment of Farm Credit Administration as independent agency, and other changes in status, functions, etc., see section 636a et seq., of Title 12, Banks and Banking.

ABOLITION OF RECONSTRUCTION FINANCE CORPORATION

Section 6 (a) of 1957 Reorg. Plan No. 1, eff. June 30, 1957, 22 F. R. 4633, 71 Stat. 647, set out as a note under section 601 of Title 15, Commerce and Trade, abolished the Reconstruction Finance Corporation.

CROSS REFERENCES

Compromise, adjustment or cancellation of farm indebtedness, false statements, see section 1026 of this title.

Liability of directors and officers of member banks, see section 503 of Title 12, Banks and Banking.

Secret Service, detection, arrest and delivery into custody of any person violating this section in so far as the Federal land banks, joint-stock land banks and national farm loan associations are concerned, see section 3056 of this title.

§ 1015. Naturalization, citizenship or alien registry.

(a) Whoever knowingly makes any false statement under oath, in any case, proceeding, or matter relating to, or under, or by virtue of any law of the United States relating to naturalization, citizenship, or registry of aliens; or

(b) Whoever knowingly, with intent to avoid any duty or liability imposed or required by law, denies that he has been naturalized or admitted to be a citizen, after having been so naturalized or admitted; or

(c) Whoever uses or attempts to use any certificate of arrival, declaration of intention, certificate of naturalization, certificate of citizenship or other documentary evidence of naturalization or of citizenship, or any duplicate or copy thereof, knowing the same to have been procured by fraud or false evidence or without required appearance or hearing of the applicant in court or otherwise unlawfully obtained; or

(d) Whoever knowingly makes any false certificate, acknowledgment or statement concerning the appearance before him or the taking of an oath or affirmation or the signature, attestation or execution by any person with respect to any application, declaration, petition, affidavit, deposition, certificate of

naturalization, certificate of citizenship or other paper or writing required or authorized by the laws relating to immigration, naturalization, citizenship, or registry of aliens—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 752.)

LEGISLATIVE HISTORY

Reviser's note.—Based on subsections (a), paragraphs (1), (16), (17), (19), (32), (b), (d), and (l) of section 746 of title 8, U. S. C., 1940 ed., Aliens and Nationality (Oct. 14, 1940, ch. 876, § 346 (a), pars. (1), (16), (17), (19), (32), (b), (d), and (l), 45 Stat. 1163, 1165, 1167).

Section consolidates, with minor changes, subsection (a), paragraphs (1), (16), (17), (19), (32), and subsections (b), (d), and (l), of section 746 of title 8, U. S. C., 1940 ed., Aliens and Nationality.

Such changes of arrangement and phraseology were made as were appropriate and necessary.

CROSS REFERENCES

Immigration and Nationality, see Chapter 12 of Title 8, Aliens and Nationality.

§ 1016. Acknowledgment of appearance or oath.

Whoever, being an officer authorized to administer oaths or to take and certify acknowledgments, knowingly makes any false acknowledgment, certificate, or statement concerning the appearance before him or the taking of an oath or affirmation by any person with respect to any proposal, contract, bond, undertaking, or other matter submitted to, made with, or taken on behalf of the United States or any department or agency thereof, concerning which an oath or affirmation is required by law or lawful regulation, or with respect to the financial standing of any principal, surety, or other party to any such proposal, contract, bond, undertaking, or other instrument, shall be fined not more than \$2,000 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, 62 Stat. 753.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 75 (Mar. 4, 1909, ch. 321, § 31, 35 Stat. 1094).

Words "or of any department or agency thereof" were inserted after "United States" so as to remove any ambiguity as to scope of section. (See definitions of "department" and "agency" in section 6 of this title.)

§ 1017. Government seals wrongfully used and instruments wrongfully sealed.

Whoever fraudulently or wrongfully affixes or impresses the seal of any department or agency of the United States, to or upon any certificate, instrument, commission, document, or paper or with knowledge of its fraudulent character, with wrongful or fraudulent intent, uses, buys, procures, sells, or transfers to another any such certificate, instrument, commission, document, or paper, to which or upon which said seal has been so fraudulently affixed or impressed, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 753.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 130 (June 15, 1917, ch. 30, title X, § 1, 40 Stat. 227).

To clarify scope of section and in view of definition of department or agency in section 6 of this title, words "department or agency" were substituted for "executive department, or of any bureau, commission, or office".

Slight verbal changes were also made.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Jurisdiction of offenses under this section, see section 3241 of this title.

Letters, writings, etc., in violation of this section as nonmailable, see section 1717 of this title.

§ 1018. Official certificates or writings.

Whoever, being a public officer or other person authorized by any law of the United States to make or give a certificate or other writing, knowingly makes and delivers as true such a certificate or writing, containing any statement which he knows to be false, in a case where the punishment thereof is not elsewhere expressly provided by law, shall be fined not more than \$500 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, 62 Stat. 753.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 195 (Mar. 4, 1909, ch. 321, § 106, 35 Stat. 1107).

Minor changes were made in phraseology.

CROSS REFERENCES

False certificate by revenue officer or agent, see section 7214 (a) of Title 26, Internal Revenue Code of 1954.

§ 1019. Certificates by consular officers.

Whoever, being a consul, or vice consul, or other person employed in the consular service of the United States, knowingly certifies falsely to any invoice, or other paper, to which his certificate is authorized or required by law, shall be fined not more than \$10,000 or imprisoned not more than three years, or both. (June 25, 1948, ch. 645, 62 Stat. 753.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 127 (Mar. 4, 1909, ch. 321, § 70, 35 Stat. 1101).

Mandatory punishment provision was rephrased in the alternative.

Changes were made in phraseology.

CROSS REFERENCES

Certification of invoices and related matters, see sections 1481, 1482 of Title 19, Customs Duties, and section 1180 et seq. of Title 22, Foreign Relations and Intercourse.

§ 1020. Highway projects.

Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction of any highway or related project submitted for approval to the Secretary of Commerce; or

Whoever knowingly makes any false statement, false representation, false report, or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Commerce; or

Whoever knowingly makes any false statement or false representation as to a material fact in any

statement, certificate, or report submitted pursuant to the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented.

Shall be fined not more than \$10,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 753; Oct. 31, 1951, ch. 655, § 27, 65 Stat. 721; May 6, 1954, ch. 181, § 18, 68 Stat. 76.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 46 of title 23, U. S. C., 1940 ed., Highways (June 19, 1922, ch. 227, § 4, par. 6, 42 Stat. 661).

Words "highway, or related," were inserted before "project" in two places for the purpose of description, in view of transfer from title 23.

Words "upon conviction thereof" were omitted as surplusage, because punishment cannot be imposed until a conviction is secured.

Changes in phraseology were made.

REFERENCES IN TEXT

The Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), referred to in the text, is act July 11, 1916, ch. 241, 39 Stat. 355, which was repealed by Pub. L. 85-767, § 2 (1), Aug. 27, 1958, 72 Stat. 919. See Title 23, Highways.

AMENDMENTS

1954—Act May 6, 1954, substituted in second paragraph "with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction" for "for work or materials for the construction"; and in third paragraph substituted "as to a material fact in any statement, certificate, or report submitted pursuant to the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented" for "in any report required under Title 23, with intent to defraud the United States".

1951—Act Oct. 31, 1951, substituted in first and second paragraph "Secretary of Commerce" for "Secretary of Agriculture".

TRANSFER OF FUNCTIONS

The Bureau of Public Roads, which is the principal road building agency of the Federal Government, and which was formerly under the Department of Agriculture, was redesignated the Public Roads Administration and, with its functions, transferred to the Federal Works Agency, and the functions of the Secretary of Agriculture, with respect thereto, were transferred to the Federal Works Administrator, by 1939 Reorg. Plan No. 1, §§ 301, 302, eff. July 1, 1939, 4 F. R. 2727, 53 Stat. 1426, set out in note under section 133t of Title 5, Executive Departments and Government Officers and Employees. Act June 30, 1949, ch. 283, Title I, § 103, 63 Stat. 380, set out as section 630b of Title 5, Public Contracts, abolished the Federal Works Agency, transferred its functions, the functions of all agencies thereof, the functions of the Federal Works Administrator, and the functions of the Commissioner of Public Roads, to the Administrator of General Services, and transferred the Public Roads Administration, which it redesignated the Bureau of Public Roads, to the General Services Administration. 1949 Reorg. Plan No. 7, eff. Aug. 19, 1949, 14 F. R. 5228, 63 Stat. 1070, set out in note under section 133z-15 of Title 5, Executive Departments and Government Officers and Employees, transferred such bureau and its functions and personnel to the Department of Commerce, and transferred the functions of the Administrator of General Services, with respect thereto, to the Secretary of Commerce, to be performed by him or, subject to his direction and control, by such officers, employees and agencies of the Department of Commerce as he should designate. 1950 Reorg. Plan No. 5, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. 1263, set out in notes under sections 591 and 133z-15 of such Title 5, transferred, with certain exceptions not applicable to this section, all functions of all other officers of the Department of Commerce, and all functions of all agencies and employees of such De-

partment, to the Secretary of Commerce, with power vested in him to authorize their performance, or the performance of any of his functions, by any of such other officers, or by any agency or employee of the Department of Commerce.

§ 1021. Title records.

Whoever, being an officer or other person authorized by any law of the United States to record a conveyance of real property or any other instrument which by such law may be recorded, knowingly certifies falsely that such conveyance or instrument has or has not been recorded, shall be fined not more than \$1,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 62 Stat. 754.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 194 (Mar. 4, 1909, ch. 321, § 105, 35 Stat. 1107).

Words "five years" were substituted for "seven years" as more in conformity with comparable sections of this chapter.

Minor change was made in phraseology.

§ 1022. Delivery of certificate, voucher, receipt for military or naval property.

Whoever, being authorized to make or deliver any certificate, voucher, receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other property used or to be used in the military or naval service, makes or delivers the same to any other person without a full knowledge of the truth of the facts stated therein and with intent to defraud the United States, or any agency thereof, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. (June 25, 1948, ch. 645, 62 Stat. 754.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 13, U. S. C., 1940 ed., § 84 (Mar. 4, 1909, ch. 321, § 35, 35 Stat. 1095; Oct. 23, 1918, ch. 194, 40 Stat. 1015; June 18, 1934, ch. 587, 48 Stat. 996; Apr. 4, 1938, ch. 69, 52 Stat. 197).

Word "agency" was substituted for "department" so as to eliminate any possible ambiguity as to scope of section. (See definitions of "department" and "agency" in section 6 of this title.)

Words "or any corporation in which the United States of America is a stockholder" were omitted as unnecessary in view of definition of "agency" in section 6 of this title.

Minor changes were made in phraseology.

§ 1023. Insufficient delivery of money or property for military or naval service.

Whoever, having charge, possession, custody, or control of any money or other public property used or to be used in the military or naval service, with intent to defraud the United States, or any agency thereof, or any corporation in which the United States has a proprietary interest, or intending to conceal such money or other property, delivers to any person having authority to receive the same any amount of such money or other property less than that for which he received a certificate or took a receipt, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. (June 25, 1948, ch. 645, 62 Stat. 754.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 85 (Mar. 4, 1909, ch. 321, § 35, 35 Stat. 1095; Oct. 23, 1918, ch. 194, 40 Stat. 1015; June 18, 1934, ch. 587, 48 Stat. 996; Apr. 4, 1938, ch. 69, 52 Stat. 197).

Word "agency" was substituted for "department" so as to eliminate any possible ambiguity as to scope of section. (See definitions of "department" and "agency" in section 6 of this title.)

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Minor changes were made in phraseology.

§ 1024. Purchase or receipt of military, naval, or veteran's facilities property.

Whoever purchases, or receives in pledge from any person any arms, equipment, ammunition, clothing, military stores, or other property furnished by the United States under a clothing allowance or otherwise, to any member of the Armed Forces of the United States or of the National Guard or Naval Militia, or to any person accompanying, serving, or retained with the land or naval forces and subject to military or naval law, or to any former member of such Armed Forces at or by any hospital, home, or facility maintained by the United States, having knowledge or reason to believe that the property has been taken from the possession of or furnished by the United States under such allowance, or otherwise, shall be fined not more than \$500 or imprisoned not more than two years, or both. (June 25, 1948, ch. 645, 62 Stat. 754.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 86 (Mar. 4, 1909, ch. 321, § 35, 35 Stat. 1095; Oct. 23, 1916, ch. 194, 40 Stat. 1015; June 18, 1934, ch. 587, 48 Stat. 996; Apr. 4, 1938, ch. 69, 52 Stat. 197; Apr. 39, 1940, ch. 164, 54 Stat. 171).

Minor changes were made in phraseology.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

§ 1025. False pretenses on high seas and other waters.

Whoever, upon any waters or vessel within the special maritime and territorial jurisdiction of the United States, by any fraud, or false pretense, obtains from any person anything of value, or procures the execution and delivery of any instrument of writing or conveyance of real or personal property, or the signature of any person, as maker, endorser, or guarantor, to or upon any bond, bill, receipt, promissory note, draft, or check, or any other evidence of indebtedness, or fraudulently sells, barter, or disposes of any bond, bill, receipt, promissory note, draft, or check, or other evidence of indebtedness, for value, knowing the same to be worthless, or knowing the signature of the maker, endorser, or guarantor thereof to have been obtained by any false pretenses, shall be fined not more than \$5,000 or imprisoned not more than five years, or both; but if the amount, value or the face value of anything so obtained does not exceed \$100, he shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, 62 Stat. 755; May 24, 1949, ch. 139, § 22, 63 Stat. 92.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on title 18, U. S. C., 1940 ed., § 467a (Mar. 4, 1909, ch. 321, § 288A, as added Aug. 5, 1939, ch. 434, 53 Stat. 1205).

Words "upon any waters or vessel within the special maritime and territorial jurisdiction of the United States"

were substituted for "upon the high seas or on any waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, or within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State on board any vessel belonging in whole or in part to the United States or any citizen thereof or to any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof", near beginning of section. The deleted words are not necessary in view of definitive section 7 of this title.

Words "whatsoever with intent to defraud" were omitted as being included in the preceding term "false pretenses".

The punishment provision was revised to include a misdemeanor punishment (not more than \$1,000 or one year, or both) where the offense involves \$100 or less. (See reviser's notes under sections 641 and 645 of this title.)

AMENDMENTS

1949—Act May 24, 1949, corrected spelling of "pretense".

§ 1026. Compromise, adjustment, or cancellation of farm indebtedness.

Whoever knowingly makes any false statement for the purpose of influencing in any way the action of the Secretary of Agriculture, or of any person acting under his authority, in connection with any compromise, adjustment, or cancellation of any farm indebtedness as provided by sections 1150, 1150a, and 1150b of Title 12, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. (June 25, 1948, ch. 645, 62 Stat. 755.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 1150c (a) of title 12, U. S. C., 1940 ed., Banks and Banking (Dec. 20, 1944, ch. 623, § 4 (a), 58 Stat. 837).

Words "of Agriculture" were inserted after "Secretary" for reasons of identification.

Words "upon conviction thereof" were omitted as surplusage, since punishment can not be imposed until after conviction.

Other changes were made in phraseology without change of substance.

§ 1027. False statements and concealment of facts in relation to documents required by the Welfare and Pension Plans Disclosure Act.

Whoever, in any document required by the Welfare and Pension Plans Disclosure Act (as amended from time to time) to be published, or kept as part of the records of any employee welfare benefit plan or employee pension benefit plan, or certified to the administrator of any such plan, makes any false statement or representation of fact, knowing it to be false, or knowingly conceals, covers up, or fails to disclose any fact the disclosure of which is required by such Act or is necessary to verify, explain, clarify or check for accuracy and completeness any report required by such Act to be published or any information required by such Act to be certified, shall be fined not more than \$10,000, or imprisoned not more than five years, or both. (Added Pub. L. 87-420, § 17(c), Mar. 20, 1962, 76 Stat. 42.)

REFERENCES IN TEXT

The Welfare and Pension Plans Disclosure Act, referred to in the text, is classified to chapter 10 of Title 29, Labor.

EFFECTIVE DATE

Section effective 90 days after Mar. 20, 1962, see section 19 of Pub. L. 87-420, set out as a note under section 302 of Title 29, Labor.